

**APPROVED**  
**Town of Fitzwilliam**  
**Planning Board Meeting**  
**July 7, 2015**

**Members Present:** Terry Silverman, Robin Peard Blais, Suzanne Gray, Mac Landy, Tom Parker, and Nancy Carney, Selectman's representative.

**Others present:** Friends and neighbors of applicant

**Call to Order:** 7:05 PM

**7:00 PM Public hearing.** **Hodgkins** application for Conditional Use Approval under Article IV, Section 127-16.1, Wetlands Protection Overlay District ordinance, to construct a new dwelling and remove existing dwelling on property located at 99 Howeville Road, Map 20, Lot 15, Rural District.

Paul Grasewicz presented the application and plat, accompanied by contractors Streeter and LaClair. Silverman said after review he found the application complete and so moved; Gray seconded and the Board voted unanimously finding the application complete.

Grasewicz explained that as they were posting landmarks prior to the Conservation Commission site walk, they decided to change the location of the proposed driveway, moving it away from the wetlands and outside of the WPOD. He said this relocation also improves the grading of the site. The driveway will be 15 feet wide and completed with hardpack with a turn-around area in front of the new dwelling. Carney asked about emergency access and Grasewicz said this driveway is wide enough for emergency vehicles.

Grasewicz reported that the Conservation Commission found that the worksite is not in wetlands, but is within the WPOD and would have some impact on wetlands, particularly surrounding the stream on the property. The following recommendations were made:

- *Construction of foundation drainage around the house and garage to direct roof runoff into the ground. Include roof gutters and drains to facilitate this.*
- *Orient the house roof peak along a north-south axis (vs east-west), if feasible, to minimize roof runoff toward Laurel Lake.*
- *Maintain as much of the current mature tree, mountain laurel and natural vegetation as possible. Minimize disruption of this vegetation during construction.*

Grasewicz said these recommendations are now part of the construction plan, with the exception of re-orienting the house roof peak, which is not possible; however, he said the garage roof peak will be oriented along a north south axis. The original plans called for a boat shed to be attached to the garage, but that has been removed from the construction plan.

Asked about access to the water, he pointed out an existing pathway. No trees will be removed from within the 50 foot buffer zone required by the state shoreline protection regulations. The new house is intended to be a year around dwelling. The existing cottage will be removed by hand into a dumpster following construction of the new dwelling. An existing path will be used to bring in a dumpster for this purpose.

Gray asked what are the total wetlands involved and Grasewicz said zero. Gray said they may need a separate permit to remove a structure that is essentially over water. Grasewicz agreed, adding that since state permits are so expensive, they had decided to wait until the local permitting process was finalized before going to the state.

Landy asked about a new septic system. Grasewicz said the existing leach field will remain but the holding tank will be replaced with a new gravity feed tank. The existing pumping tank and piping will be abandoned in

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place since it serviced the cottage that will be removed, and had to pump effluent a ways to the leach field. The new dwelling is nearer to the leach field and the tank can be a gravity feed tank with 12 chambers to serve the new, larger three bedroom home. He said the new septic plan is partially complete.

Grasewicz pointed out the topography between the new house site and the lake which indicates a depression by a stand of trees is between the new home and the lake, so nothing that happens on site can get to the lake.

Silverman moved, Blais seconded and the Board voted to approve a conditional use permit, under authority of Article IV, Section 127-16.1, D. 4. in compliance with the following conditions D. 4. (a) & (b); conditions (c) & (d) do not apply; further that the applicant obtain all relevant permits from the State of NH, the Department of Environmental Service and the Fitzwilliam Zoning Board of Adjustment, appeal to be heard under Article IV, Section 127- 16.1, D. 6.(e).

The Board also directs that the following notes be added to the plat: no herbicides or pesticides will be used on site, and that dry wells and footing drains are installed.

Silverman reported that the Planning Board members approached Robert Ford to consider becoming an alternate Board member and he is considering the proposal.

Paul Grasewicz emailed his resignation as alternate after serving on the Board for fifteen years as an elected member and an alternate. The Board accepted his resignation with regret.

Silverman and Carney reported on a meeting with the Selectmen and Eversource held on July 6<sup>th</sup>. The sound issue was discussed but has not yet been resolved, frustrating both Boards and the abutters who have been subject to the noise that is coming from the transformer. Silverman clarified that the noise is not caused by a corona effect. Construction of a sound wall is being considered. They said cladding is not going forward because it causes too much heat within the cladding. Silverman said Eversource now recognizes the site plan review process as legitimate. He asked the Board to consider whether or not the sound issue should be part of any notice of decision and/or if it should be bonded.

Gray said she had heard the noise at the Pinney property and it is very annoying, adding that ambient noise is not present as cover at night.

Landy, referring to the proposed landscaping plan, asked if anyone had done soil testing in the proposed area. He does not believe tamarack can live in a flooded area. He thinks the plan is bogus and that there is no vegetation in the area because it can't live in flooded areas. Blais asked who is designated to do the necessary ongoing monitoring of the landscaping.

Silverman asked the Board to consider the conditions that the Board may want attached to any notice of decision for the Eversource site plan review.

Carney reported that the boundary line issue between the Town and the Talberts is resolved; the Town will have its attorney draw up a letter of agreement and both parties will sign it. The Talberts have paid property taxes on the entire lot, when a portion of the lot belonged to the Town. A survey done by the Talberts identified the

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correct boundary line and the letter of agreement will be recorded at the Registry of Deeds.

Senator Sanborn attended the Selectmen's meeting on July 6<sup>th</sup>, and in response to questions about improving Route 119, said he will amend the budget next year to add funding for Route 119 improvement. Carney noted that a portion of Rt. 119 from Angier Road to Richmond will not be done until 2016. All agreed Rt. 119 is an economic corridor that badly needs repair. Residents are urged to report maintenance issues along Route 119 to NH DOT by calling 352-2302. Apparently NH DOT needs to hear from all of us.

Silverman reported the pipeline coalition of twelve towns met with Representative Annie Kuster this week. He said she was very responsive to their proposal to bring the New England delegation together to help the Towns as they prepare for the FERC Scoping sessions – the coalition wants more scoping meetings, and to have the scoping meeting schedule moved ahead to allow towns more time to prepare.

Carney said the Selectmen will meet soon with SWRPC to review the draft research report prepared for AECOM/Kinder Morgan regarding environmental impacts of the pipeline. There was some discussion about the role SWRPC has in the pipeline issue and the service they provide to member towns in general.

There was discussion about the possibility of lateral pipelines going from Fitzwilliam to Keene and/or Fitchburg, which might require installation of compressor stations in town.

Carney pointed out that Liberty Gas is a subsidiary of Kinder Morgan and it is the only contract KM has at the moment to deliver natural gas to local users.

Suzanne Gray reported that an action has been organized to picket the Public Utility Commission meeting in Concord on July 22, 2015 at 1:30, to let them know that residents of surrounding towns have concerns about the pipeline. Picketers will meet early in the morning to greet PUC members and staff when they arrive for work. They have a permit for 50 people to picket.

Silverman reported that the Governor signed House Bills 233 and 451, related to local ordinances applying to certain mining activities, including site plan review. He said this means the town can go ahead and *enact* the mining ordinance as passed overwhelmingly by the Town in 2014. A court injunction has prevented the town from enforcing this ordinance until now.

**Minutes.** The Board reviewed the June 16, 2015 meeting minutes. Gray moved, Pini seconded and the Board approved the minutes as amended (addition of email from Robin Blais regarding vegetation at Eversource site).

The meeting was adjourned at 8:45 PM.